

ORDINANCE NO. 16-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a right-of-way; that the applicant has represented to the City of Huntsville that **Jeff E. McCracken and Sam Bagley and wife, Regina Bagley**, are the owners of the property across which said right-of-way lies; that said right-of-way, or portions being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the right-of-way hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

Know All Men by These Presents, That in Consideration of TEN DOLLARS (\$10.00), to the City of Huntsville, Alabama, an Alabama Municipal Corporation, hereinafter referred to as Grantor", in hand paid by **JEFF EDWARD MCCracken and SAM BAGLEY and wife, REGINA BAGLEY**, hereinafter referred to as "Grantees", the receipt whereof is hereby acknowledged, the City of Huntsville, Alabama, a Municipal Corporation, does remise, release, quitclaim and convey to the said Grantees, all of the Grantor's right, title, interest and claim in or to the following described real estate, situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

All that part of Section 28, Township 3 South, Range 1 East of the Huntsville Meridian, Madison County, Alabama and being a part of North Street as shown on the record plat of Pierre Addition to the Town of Viduta as recorded in Plat Book 1, Page 22 in the Office of the Judge of Probate, Madison County, Alabama. Particularly described as beginning at the Southeast corner of Lot 13 of said Pierre Addition on the north right of way margin of Nolen Avenue; Thence from the Point of Beginning North 01 degrees 04 minutes 39 seconds East 349.75 feet to a ½ inch rebar found at the Northeast corner of Lot 19; Thence South 88 degrees 15 minutes 09 seconds East 52.10 feet to a 1 inch iron pipe found at the Northwest corner of Lot 8; Thence South 01 degree 04 minutes 39 seconds West 344.11 feet to the north right of way margin of said Nolen Avenue; Thence along said margin, South 85 degrees 10 minutes 52 seconds West 21.53 feet to the point of curve; Thence around a curve to the right, having a radius of 1325.72 feet, a chord bearing and distance of South 85 degrees 50 minutes 43 seconds West 30.81 feet to the Point of Beginning and containing 0.415 acre, more or less.

TO HAVE AND TO HOLD unto the said Grantee, their heirs and assigns, forever.

IN WITNESS WHEREOF, the City of Huntsville, Alabama a Municipal Corporation, has hereunto caused its name to be affixed by Tommy Battle, its Mayor, and attested by Kenneth Benion, its Clerk/Treasurer, both of whom are thereunto duly authorized, on this the 26th day of May, 2016.

**CITY OF HUNTSVILLE, ALABAMA
A MUNICIPAL CORPORATION**

By: _____
Tommy Battle, Mayor

Attest:

Kenneth Benion, Clerk Treasurer

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

I, _____, a Notary Public in and for said County, in said State, hereby certify that TOMMY BATTLE, and KENNETH BENION, whose names as Mayor and Clerk Treasurer, respectively, of the City of Huntsville, Alabama, a Municipal corporation, are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same as such officers and with full authority on the day the same bears date, for and as the act of said municipal corporation.

Given under my hand and seal on this the 26th day of May, 2016.

Notary Public
My commission expires: _____

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Date of Sale: _____, 2016
Grantor's Address: P. O. Box 308, Huntsville, Alabama 35801
Grantee's Address: McCracken: 111 Runell Dr., Owens Cross Roads, Alabama 35873
 Bagley: 401 Viduta Place, Huntsville, Alabama 35801
Property Address: Vacate a portion of North Street
Purchase Price: \$0

This instrument prepared by: Harald E. Bailey LLC, 920 Merchants Walk, Suite A, Huntsville, Alabama 35801. 16-0031

Ordinance No. 15-_____ (Cont.)
McCracken and Bagley

ADOPTED this the 26th day of May, 2016.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 26th day of May, 2016.

Mayor of the City of
Huntsville, Alabama